

The Senator from South Dakota spent considerable time talking about the school construction proposal. I want to point out that there is a school construction proposal offered by Senator GRAHAM of Florida that is in the proposal that is on the floor. It loosens, or makes more easy, the opportunity to finance school construction. It is not nearly as expensive as the proposal being talked about here.

Just to take a moment or two, the proposal that was just outlined by the minority leader does raise some questions. I know in my State—I don't know about the State of the chair—billions of dollars are already being spent to build schools, to modernize schools, and that is because it is a State responsibility.

As I was listening to the presentation, it was sort of running through my mind, well, are we headed toward a situation where those States that accepted their responsibility and built their schools and kept them modern are now going to have to subsidize States that have not? It is a curious question. As we have time to debate their proposal, I am sure it will clarify itself somewhat. But it certainly raises a question in my mind. I would not want a situation to occur where Georgia had fulfilled its responsibilities and some other State didn't, so now we are going to step in with a new proposal to make right something that perhaps is not.

I think you have to remember that construction has traditionally been a State responsibility. However, Senator GRAHAM's proposal does broaden the ability and make it more accessible for States to construct in this case immediately some 500 schools across the Nation.

Madam President, I want to clarify one statement just before we yield for the unanimous consent requests.

The minority leader said that our side of the aisle did nothing for public education. That is a pretty far-reaching statement considering that the proposal in front of us would help 14 million families finance education, 10 million of which are in public education, that would accumulate in the first 5 years \$5 billion of new resources, \$2.5 billion of which would go to support public schools. It would help 21 States plus 17 additional States that are considering prepaid tuition. It would help employers in the continuing education of 1 million employees. It would help 250,000 graduate students and would provide up to \$3 billion in school construction over the next 5 years—public school construction.

I not only consider that something; I consider that a lot, an enormous beginning in making the Federal Government a good partner in terms of improving education in our country—public, private, home, wherever it is occurring.

Tomorrow we will have an opportunity to debate an amendment offered by the Senator from Washington that

removes the Federal constriction, or constraints, or oversight on about \$15 billion, that would allow local school districts to hire teachers, build schools, provide buses, or whatever the Governors of those States and local communities thought necessary. It wouldn't have the Federal mantra over it that says you only get these benefits if you do these things the way we say. That will be an interesting debate that we will get into tomorrow.

AMENDMENT NO. 2290

Mr. COVERDELL. Madam President, I ask unanimous consent that the second-degree amendment No. 2290 be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Amendment (No. 2290) was agreed to.

Mr. COVERDELL. Madam President, I ask unanimous consent that immediately following the 10 a.m. vote on Tuesday relating to the international shipping bill, there be 4 minutes equally divided in the usual form prior to a vote on the motion to table the Kennedy amendment No. 2289 to House Resolution 2646, the Coverdell A+ education bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL. Madam President, I further ask unanimous consent that at 2:15 p.m. on Tuesday the Senate proceed to a vote on or in relation to the Glenn amendment No. 2017, to be followed by a vote on or in relation to the Mack-D'Amato amendment No. 2288, as amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL. I further ask unanimous consent that no amendments be in order to the above amendments; and, finally, that prior to each of those scheduled at 2:15 there be 2 minutes of debate equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. COVERDELL. Madam President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTING PUBLIC SAFETY BY PREVENTING EXCAVATION DAMAGE

Mr. LOTT. Madam President, recently, the National Transportation Safety Board (NTSB) held a public meeting in Washington, D.C. to discuss the findings of a comprehensive study it conducted to assess the safety initiatives undertaken by industry and government and private organizations to prevent excavation damage to under-

ground pipelines. As a result of the study, the NTSB adopted twenty-seven safety recommendations to reduce the risks posed by excavation damage. I want to take this opportunity to commend the NTSB for its proactive stance on this important safety issue.

Excavation damage poses serious safety risks to our Nation's critical infrastructure. This infrastructure, among other things, transports natural gas, petroleum, and other chemical products through pipelines and enables telephone and Internet access through a vast network of fiber optic cables and communication lines. Damage to this infrastructure not only exposes people and the environment to safety risks, but impedes economic development.

The NTSB agrees. In a press release issued on the study, the NTSB states "a single pipeline accident has the potential to cause a catastrophic disaster that can injure hundreds of persons, affect thousands more, and cost millions of dollars in terms of property damage, loss of work opportunity, community disruption, ecological damage, and insurance liability. Excavation and construction activities are the largest single cause of accidents to pipelines." The Safety Board goes on to say that in "addition to being expensive and inconvenient, disruption of the telecommunications network can have significant safety implication, such as impact on traffic control systems, health services, and emergency response activities."

The NTSB further found that "damage from outside force is the leading cause of leaks and ruptures to pipeline systems, accounting for more than 40 percent of the reported failures." Excavation damage, the NTSB determined, "is also the single largest cause of interruptions to fiber cable service."

Mr. LAUTENBERG. Madam President, I would like to stand with the Majority Leader not only in affirming the importance of pipelines to our national transportation infrastructure, but also as a personal witness to the damage that a pipeline accident can have on victims of pipeline eruptions, and particularly to the community.

Four years ago, around midnight, on March 24, 1994, a major natural gas pipeline ruptured in Edison, New Jersey, a densely populated, urban environment. This rupture caused a deafening boom, awakening residents of the Durham Woods apartment complex. Seconds later, a plume of fire and gas shot hundreds of feet above the ground. Thankfully, the more than one thousand residents fled their homes, all leaving before the explosion leveled the Durham Woods apartment complex. I visited the site after the blast. I saw how the explosion incinerated cars, playground equipment and trees. Over one hundred people suffered injuries from the fire. One woman died from a heart attack. It was a miracle that nobody else died from that disaster. Four years later, the victims still suffer emotionally and physically. Some are

still awaiting settlements. They escaped with their lives but their lives are not the same. A state grand jury determined that the disaster probably was tied to damage caused earlier by unauthorized excavation which weakened the pipe, causing it to explode.

Mr. LOTT. Madam President, I remember that disaster to which the Senator from New Jersey refers. That, along with other devastating excavation damage acts, such as those in Puerto Rico and Minnesota, led to the NTSB's decision to issue new strong safety recommendations to the Research and Special Programs Administration (RSPA), the Federal Highway Administration (FHWA), states, and other industry groups including trade associations.

But today, I want to focus on two recommendations in particular. As a result of the study I mentioned above, the Safety Board issued a recommendation strongly urging states to adopt comprehensive one-call statewide excavation programs. They believe that one-call programs are proven to prevent damage due to excavation, thereby reducing the likelihood of pipeline disasters.

Mr. LAUTENBERG. Madam President, the Safety Board is right. Following the disaster, the State of New Jersey adopted a comprehensive one-call program that mandates participation throughout the state. It has been a resounding success. Every year since its adoption, accidental hits have decreased. In 1995—the first year of the program, there were 4,624 hits of underground lines in 1.7 million excavations. In 1996, there were 3,974 hits in 2.1 million excavations. And last year, there were 3,796 hits in 2.5 million excavations—a success rate of 98.8 percent.

One call programs work. We in New Jersey have seen the devastation caused by pipeline eruptions. We in New Jersey have seen what a one-call program can do.

Mr. LOTT. The Safety Board issued another recommendation. It also determined, as a result of the study, that our nation's railroads should involve themselves in statewide excavation damage prevention programs. The recommendations state that the associations should urge their members "to fully participate in statewide excavation damage prevention programs, including one-call notification centers." The recommendations were issued to the Association of American Railroads (AAR) and the American Short Line Railroad Association.

Why has the Safety Board taken such a position? Perhaps it is because some railroads apparently oppose participating in excavation damage prevention programs, including one-call notification centers. Some one-call notification center participants indicate that the railroads are often no-shows when it comes to underground damage prevention.

Currently, railroads are required to participate in state one-call notification

systems in ten states. I want to repeat that again, only ten states. Yet AAR opposed the Lott-Daschle one-call notification bill which passed by the Senate by unanimous consent last year because we would not include provisions preempting state laws and exempting railroads from participation in state one-call notification systems in the remaining forty states.

I understand the railroad industry is taking the same position in the House. I am told AAR is vigorously opposing the Lott-Daschle one-call notification legislation unless the House mandates that railroads are exempt from state's one-call notification systems. So much for industry opposition to Federal mandates.

Instead of advancing the cause of safety and underground damage prevention, AAR is trying to use my bill to reduce safety through a federal exemption in the states where one-call participation is required. This stance is exactly opposite from the position being urged by the Safety Board.

Do the railroads pose a safety risk to underground facilities? Yes, they do. Ameritech recently released a survey of major telecommunication facility outages which found that 17 percent of the major outages in the United States were caused by railroads. This survey, as well as the NTSB study, demonstrates that there is a clear benefit to the public if railroads participate in one-call notification systems.

Mr. LAUTENBERG. Madam President, I cannot agree more. States need the full participation of every stakeholder in order for a one-call program to be successful. A comprehensive national one-call initiative is far from comprehensive, far from national, if a major industry that has a significant role in the location of pipelines along their rights of way chooses to take a walk on an initiative that is important in protecting our communities and the environment against the damage incurred by pipeline accidents.

As the Majority Leader noted, the Senate adopted the Lott-Daschle one-call bill as part of ISTEA reauthorization. This is not without precedent. The Administration included a one-call provision in its NEXTEA bill. A one-call bill, sponsored by my colleague from New Jersey, Congressman FRANK PALLONE, and Congressman RICHARD BAKER of Louisiana, is moving through the House of Representatives. The support lies in the Senate, in the Administration, and in key areas in the House. All we need is to break that logjam and sign a comprehensive one-call bill into law. All that is standing in its way is that the railroads' adamant opposition to the bill—opposition that is preventing the bill from moving ahead. It would be a shame if we missed out on this opportunity to pass this safety initiative only because of the railroad industry.

Mr. LOTT. The Safety Board has long been our Nation's premier safety agency and the Congress has turned to it on

many occasions for its advice on ways to improve transportation safety. Moreover, Safety Board recommendations have served as the foundation for many transportation safety bills and laws.

Rather than launch a campaign for exemptions, the railroad industry might better serve transportation safety if it works with Congress to implement the reasonable recommendations of the National Transportation Safety Board.

Let me stress to my fellow Senators that I remain a big supporter of the nation's railroads. Railroads are, as they like to say, "the engine that drives America." I agree railroads are a huge engine, an important engine in America's economy.

Mr. LAUTENBERG. I too support our nation's railroads. Railroads play a critical role in my state in particular. Ships arrive in the intermodal hub that is the Port of New York and New Jersey, unload containers directly onto railroad cars, and send them into the heartland of the United States. Railroad lines exist throughout the state. That is exactly why I care about this issue and urge the railroads to join us in this effort to enact a comprehensive bill into law.

Madam President, I want to commend the Majority Leader for his involvement and diligence on this issue. Safety must be paramount. And that is what this issue is all about.

Mr. LOTT. I hope the railroad industry rethinks its position on one-call notification legislation. I urge them to join us on the side of safety.

TRIBUTE TO BOB CRANDALL

Mr. DASCHLE. Madam President, last week an American giant announced his plans to retire. Obviously, that description has more than one connotation. Bob Crandall is a giant in his industry and a remarkable pioneer. Few, if any, leaders in aviation can match his impressive record of achievement.

The American airlines he joined is vastly different than the one he will soon leave. In a time of great economic turbulence in aviation industry, Mr. Crandall navigated his company and the industry itself to new heights and vastly new horizons. As a result, we are all beneficiaries.

We know this man as an innovator. A person who understood that competition was not only good, it was essential. As a frequent flyer, I and millions of other Americans have benefited from the program he conceived to bring down costs and encourage loyal customers.

We know him, too, as a financial manager of incomparable depth. American has been a consistent leader in profits and fiscal management. His stockholders have benefited from an array of innovations including code-sharing and the hub and spoke system in routing that has now been adopted